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09/232,566	01/15/1999	ROLF JANSEN		1686

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EXAMINER

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Paper No. 17

Application Number: 09/232,566
Filing Date: January 15, 1999
Appellant(s): JANSEN, ROLF

Rolf Jansen for Applicant/Appellant, pro se
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 06/03/02.

(1) *Real Party in Interest*

The brief does not contain a statement identifying the Real Party in Interest. Therefore, it is presumed that the party named in the caption of the brief is the Real Party in Interest, i.e., the owner at the time the brief was filed. The Board, however, may exercise its discretion to require an explicit statement as to the Real Party in Interest.

(2) *Related Appeals and Interferences*

The brief does not contain a statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief. Therefore, it is presumed that there are none. The Board, however, may exercise its discretion to require an explicit statement as to the existence of any related appeals and interferences.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

No amendment after final has been filed.

(5) *Summary of Invention*

No summary of invention has been filed.

(6) *Issues*

No issues of invention have been filed.

(7) *Grouping of Claims*

The rejection of claims 3 and 4 stand or fall together because appellant's brief does not include a statement that this grouping of claims does not stand or fall together and reasons in support thereof. See 37 CFR 1.192(c)(7).

(8) *Claims Appealed*

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) *Prior Art of Record*

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US 5,892,598	Asakawa et al.	04-1999
US 5,646,614	Abersfelder et al.	07-1997
US 5,666,157	Aviv	09-1997

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Frankhouse et al. (US 5,940,120) in view of Asakawa et al. (US 5,892,598).

Re claim 3, Frankhouse et al. disclose a vanity console (fig. 10) comprises a camera (96 of fig. 10) is mounted on the outside of a car (10 of fig. 9) for providing a wide angle rear view of traffic of objects behind the vehicle (10 of fig. 9); a display is an LCD display (90 of fig. 10) mounted on a housing (24 of fig. 1) for displaying the captured video image by the camera (96), where the captured image is viewed when the driver is backing up the car (10)

It is noted that Frankhouse does not specifically disclose the LCD display is mounted on a driver's sunvisor of the car as claimed. However, Asakawa teaches a display is ECD, LCD, DSD, FED or FMD that would be used to display image information; particularly this case is video image information (col. 9, lines 34-39). Asakawa further discloses the LCD would be used

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in anyplace the interior of an automobile (ABSTRACT), where the LCD would particularly be attached to a sunvisor and pull down forward of the driver's seat as needed (1' of fig. 2).

Therefore, it would have been obvious to one of ordinary skill in the art to modify the teachings of Asakawa into the housing (24) of the vanity console of Frankhouse for the same purpose of mounting the LCD on the sunvisor so that the driver easily views the captured video image during backing up the car without turning the driver's head.

3. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Aberfelder et al. (US 5,646,614) in view of Aviv (US 5,666,157).

Re claim 4, Abersfelder discloses a camera (11 of fig. 1) is built in and located on the back of a car (10 of fig. 1), whereby the camera is located in the ideal at rear of the car for viewing a backing, the camera is connected to a monitor mounted inside the car (15 of fig. 1), and a wide angle lenses are used in this particular camera to receive a wide view image.

It is noted that Abersfelder fails to particularly disclose the camera is mounted on the reverse side of a license plate at the rear of the vehicle so that the camera can see through a predetermined-sized hole put in the license plate.

However, it is well established that one skilled in the art would have obvious to mount the camera anywhere on the car, particularly on the reverse side of a license plate at the rear of the vehicle, and the camera can see through a predetermined-sized hole put in the license plate a rear view when the vehicle is backing.

Abersfelder further teaches any conventional and suitable camera lenses, camera lenses of very compact construction can be used, without the requirement of extending the camera purposes of realizing a sufficient viewing angle (col. 2, lines 16-25). However, Abersfelder does

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not particularly disclose a pinhole lens that is used for a camera. Aviv teaches a pinhole lens is used for a camera (col. 9, lines 54-65).

Taking the teachings of Abersfelder et al and Aviv as a whole, it would have been obvious to one of ordinary skill in the art to modify the pinhole lens of Aviv into the system of Abersfelder for the same purpose of seeing through the predetermined sized hole of license plate.

It is well known in the art that rearrangement of location is easy for artisan to do, therefore, the combination of Abersfelder and Aviv would be mounted on the other side of the license plate of the car without changing any functions and operation of the camera. In re Japikse, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950).

(11) Response to Argument

With regard to claim 3, the appellant argued that the word video does not appear in column 9, lines 34-39 of Asakawa. It is well known in the art that video can be shown only on a display that has the essential component of a TV receiver. It is plain, from a reading of Asakawa that its display is not designed to show video in B of the general remarks of the supplemental appeal brief.

The examiner respectfully disagrees with the appellant. It is submitted Frankhouse et al. disclose a vanity console (fig. 10) comprises a camera (96 of fig. 10) is mounted on the outside of a car (10 of fig. 9) for providing a wide angle rear view of traffic of objects behind the vehicle (10 of fig. 9); a display is an LCD display (90 of fig. 10) mounted on a housing (24 of fig. 1) for displaying the captured video image by the camera (96), where the captured image is viewed

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when the driver is backing up the car (10). Frankhouse does not specifically disclose the LCD display is mounted on a driver's sunvisor of the car.

However, Asakawa teaches a display is ECD, LCD, DSD, FED or FMD (col. 9, lines 30-40), which would be used to display image information, where the information would obviously be information of the map, data, or video image. Asakawa further suggest that the LCD display is attached to a sunvisor and is pulled down forward of the driver's seat as needed (col. 9, lines 13-16).

Since Frankhouse et al suggest that the LCD display (90 of fig. 10) display the captured video image and would be mounted in the housing of the car (10 of fig. 9), and Asakawa teaches the LCD display, which would obviously display any conventional and suitable image information such as video image, displays image information and is attached to the sunvisor; so one skill in the art would combine the Frankhouse and Asakawa to make obvious the present invention. Further, it is well known in the art that a LCD display would be able to display any information that includes a video data, and where the LCD display is available in the market place.

The appellant argued that the display in Asakawa is transparent and has unexpected results that distinguish it from Frankhouse, pages 4 and 5 of the supplemental appeal brief.

The examiner respectfully disagrees with the appellant. It is submitted that Asakawa suggests several displays such as DCD, LCD, DSD, FED, FMD can be used as the image display (col. 9 lines 34-39). Asakawa further suggests LCDs and FEDs that are more suitable, considering durability, low cost (col. 9, lines 39-40), where the LCD would obviously be attached to the sunvisor (col. 9, lines 13-16). Frankhouse discloses the LCD (90 of fig. 10) is

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mounted inside housing (122 of fig. 10) of the car (10 of fig. 9), so one skilled in the art would use the teachings of Asakawa to mount the LCD (90 of fig. 10) of Frankhouse on the sunvisor for the same purpose of displaying the video image captured by the camera (96 of fig. 10). In view of the discussion above, the claimed features are unpatentable over the combination of Frankhouse and Asakawa.

With regard to claim 4, the appellant argued that the combination of Abersfelder and Aviv does not teach the pinhole camera is mount on the middle of the license plate, pages 6-8 of the supplement appeal brief.

The examiner respectfully disagrees with the appellant. It is submitted that Abersfelder teaches the camera (11 of fig. 1) would be mounted anywhere on the car (14 of fig. 1), particularly the camera (11 of fig. 1) is mounted on the reverse side of a license plate at the rear of the vehicle, so that the camera would see through a predetermined-sized hole put in the license plate a rear view when the vehicle is backing.

Abersfelder also suggests any conventional and suitable camera lenses; camera lenses of very compact construction would be used, without the requirement of extending the camera purposes of realizing a sufficient viewing angle (col. 2, lines 16-25). Moreover, Aviv teaches the pinhole that is used in the camera (col. 9, lines 54-65) to view an image at the wide view angle; therefore the Abersfelder and Aviv would be combinable to make obvious the present invention. In view of the discussion above, the claimed features are unpatentable over the combination of Abersfelder and Aviv.

For the above reasons, it is believed that the rejections should be sustained.

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Respectfully submitted,


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